

AMENDED IN SENATE APRIL 10, 2002

SENATE BILL

No. 1942

Introduced by Senator Alarcon

February 22, 2002

An act to amend Section 56732 of the Government Code, relating to cities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1942, as amended, Alarcon. Local government reorganization.

Existing law authorizes a local agency formation commission to review proposals for organization and reorganization of municipal entities, including proposals to incorporate cities. A commission is required, after a hearing, to adopt a resolution making determinations approving or disapproving a proposal, with or without conditions. Existing law further requires that, if a commission approves a proposal for a special reorganization that includes the incorporation of a city with a population of more than 1,000,000, the resolution shall specify that the legislative body of the city shall consist of an even number of members, with at least 12 elected by districts, and requires the commission to establish initial boundaries for those districts and to specify in the resolution that the mayor, who shall be a voting member of the council, shall be elected on a citywide basis.

This bill, instead, would require the commission to specify in the resolution that the governing board have 15 members, including 9 elected by district and 6 elected citywide, and that the citywide members may transfer previous retirement benefits received as a city official to the new city, as specified, and shall receive compensation equal to that received as a member of the governing board of a local governmental entity immediately prior to serving with the new city.

The

This bill would request the University of California to conduct a study to develop alternative models of governance of the City of Los Angeles, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The state is responsible for making a representative form of
4 government available to existing and newly formed cities.

5 (b) A city government must be organized in a manner that
6 affords the best political representation to its citizens, given the
7 particular social needs of the city.

8 (c) A government is most effective when experienced
9 policymakers participate in its operation.

10 (d) At the same time, the ability of government to recruit
11 innovative individuals from within its boundaries is vital to the
12 proper development of a government that is readily responsive to
13 its constituents.

14 (e) It is critical that each community within a newly formed
15 city's jurisdiction has a representative that understands and is able
16 to advocate for its specific needs.

17 ~~SEC. 2. Section 56732 of the Government Code is amended~~
18 ~~to read:~~

19 ~~56732. If the commission approves a proposal for a special~~
20 ~~reorganization that includes the incorporation of a city with a~~
21 ~~population of more than 1,000,000, the commission shall specify~~
22 ~~in the resolution making determinations that, notwithstanding~~
23 ~~Section 36501, the city council of the city shall consist of 15~~
24 ~~members, as follows:~~

25 ~~(a) (1) Nine members shall be elected by districts, as defined~~
26 ~~in Section 34871.~~

27 ~~(2) The commission shall establish the initial boundaries of~~
28 ~~those nine districts, which shall have approximately equal~~
29 ~~populations, consistent with state and federal law.~~

30 ~~(3) The nine members elected by districts shall serve part time,~~
31 ~~and may engage in employment outside of his or her activities as~~

~~a member of the city council consistent with other provisions of law relating to conflicts of interest. Those members shall be reimbursed for actual and necessary expenses, as provided in Section 36514.5, and may be paid a salary pursuant to Section 36516.~~

~~(b) (1) Six members shall be elected citywide.~~

~~(2) These members shall serve full time and, notwithstanding Section 35616, shall be paid a salary determined by the city council or by the electors of the city. Those members shall not engage in employment outside of his or her position as a member of the city council.~~

~~(3) Of the six members elected on a citywide basis, the individual receiving the highest total number of votes shall serve as mayor and president of the city council, and the individual receiving the second highest total number of votes shall serve as the mayor pro tempore.~~

~~(4) Any person serving as an officer or employee of any city at the time of his or her election as a citywide member of the governing board of the new city, if the new city provides for retirement benefits for members of the governing board, may transfer his or her previous city retirement benefits and time served to the new city.~~

~~(5) An elected officer serving on the governing board of a city, county, or other local governmental entity at the time of his or her election as a citywide member of the city council of the new city shall receive compensation for his or her services equal to the compensation received for serving on the governing board of the city, county, or other local governmental entity immediately prior to serving on the governing board of the new city.~~

~~SEC. 3.—~~

SEC. 2. The University of California is requested to conduct a study on the governance of the City of Los Angeles, developing alternative models of governance that seek to provide more local autonomy, in lieu of secession. The study shall include consideration of borough and ward systems, as utilized in other cities such as New York and Chicago.